

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/580,018	<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> NOV 14 2003 <b>OFFICIAL</b>
	Filing Date	May 26, 2000	
	First Named Inventor	Schenk, Dale B.	
	Art Unit	1647	
	Examiner Name	Christopher J. Nichols	
Total Number of Pages in This Submission	6	Attorney Docket Number	15270J-004760US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (PTO/SB/17) (1 p, submitted in duplicate) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer (over 09/724,961) (3 pages) <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
The attached Terminal Disclaimer, which disclaims U.S. Application No. 09/724,961, is being filed for purposes of expediting prosecution and should not be construed as an acquiescence to obviousness type double patenting.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Townsend and Townsend and Crew LLP Rosemarie L. Celli Reg. No. 42,397
Signature	<i>Rosemarie L. Celli</i>
Date	November 14, 2003

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 872-9306 on November 14, 2003	
Typed or printed name	Rosemarie L. Celli
Signature	<i>Rosemarie L. Celli</i> Date November 14, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 110

Complete If Known

Application Number	09/580,018
Filing Date	May 26, 2000
First Named Inventor	Schenk, Dale B.
Examiner Name	Christopher J. Nichols
Art Unit	1647
Attorney Docket No.	15270J-004760US

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)				
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other	<input type="checkbox"/> None				
<input checked="" type="checkbox"/> Deposit Account:								
Deposit Account Number					20-1430			
Deposit Account Name					Townsend and Townsend and Crew LLP			
The Director is authorized to: (check all that apply)								
<input checked="" type="checkbox"/> Charge fee(s) indicated below					<input checked="" type="checkbox"/> Credit any overpayments			
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)								
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.								
<b>FEE CALCULATION</b>								
<b>1. BASIC FILING FEE</b>								
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid			
1001	2001	770	365	Utility filing fee				
1002	2002	340	170	Design filing fee				
1003	2003	530	265	Plant filing fee				
1004	2004	770	365	Reissue filing fee				
1006	2005	180	80	Provisional filing fee				
<b>SUBTOTAL (1)</b>					<b>(\$)</b>			
<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b>								
Total Claims	Extra Claims	Fee from below	Fee Paid					
Independent Claims								
Multiple Dependent								
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid			
1202	2202	18	9	Claims in excess of 20				
1201	2201	55	43	Independent claims in excess of 3				
1203	2203	290	145	Multiple dependent claims, if not paid				
1204	2204	86	43	Reissue independent claims over original patent				
1205	2205	18	9	Reissue claims in excess of 20 and over original patent				
<b>SUBTOTAL (2)</b>					<b>(\$)</b>			
*or number previously paid, if greater; For Reissues, see above								
<b>3. ADDITIONAL FEES</b>								
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid			
1051	2051	130	65	Surcharge - late filing fee or oath				
1052	2052	50	25	Surcharge - late provisional filing fee or cover sheet				
1053	2053	130	130	Non-English specification				
1812	2520	1812	2,520	For filing a request for reexamination				
1804	2204	920*	1804	Requesting publication of SIR prior to Examiner action				
1806	2806	1,840*	1806	Requesting publication of SIR after Examiner action				
1251	2251	110	55	Extension for reply within first month				
1252	2252	420	210	Extension for reply within second month				
1253	2253	950	475	Extension for reply within third month				
1254	2254	1,450	740	Extension for reply within fourth month				
1255	2255	2,010	1,005	Extension for reply within fifth month				
1401	2401	330	165	Notice of Appeal				
1402	2402	330	165	Filing a brief in support of an appeal				
1403	2403	290	145	Request for oral hearing				
1451	2451	1,510	1,510	Petition to institute a public use proceeding				
1452	2452	110	55	Petition to revive - unavoidable				
1453	2453	1,330	665	Petition to revive - unintentional				
1501	2501	1,330	665	Utility issue fee (or reissue)				
1502	2502	480	240	Design issue fee				
1503	2503	840	320	Plant issue fee				
1450	2450	130	130	Petitions to the Commissioner				
1807	2807	50	50	Petitions related to provisional applications				
1806	2806	180	180	Submission of Information Disclosure Stmt				
8021	28021	40	40	Recording each patent assignment per property (three number of properties)				
1809	2809	770	385	Filing a submission after final rejection (37 CFR § 1.129(a))				
1810	2810	770	385	For each additional invention to be examined (37 CFR § 1.129(b))				
1801	2801	770	385	Request for Continued Examination (RCE)				
1802	2802	900	900	Request for expedited examination of a design application				
Other fee (specify) 1.20 (d) Statutory (Terminal) Disclaimer Fee					110			
*Reduced by Basic Filing Fee Paid					<b>SUBTOTAL (3)</b>	<b>(\$)</b>	110	

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Rosemarie L. Celli	Registration No. (Attorney/Agent)	42,397	Telephone	650-326-2400
Signature	<i>Rosemarie L. Celli</i>	Date	November 14, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2634.

Confidentiality is governed by 35 U.S.C. 182 and 37 CFR 1.16. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22315-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22315-1450. 60083327 v1

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-703-872-9306 on November 13, 2003.

TOWNSEND and TOWNSEND and CREW LLP

By: Rosemarie L. Celli  
Rosemarie L. Celli

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NOV 14 2003

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.	:	09/580,018	Confirmation No. 9973
Applicant	:	Schenk	
Filed	:	May 26, 2000	
TC/A.U.	:	1600/1647	
Examiner	:	Nichols	
Docket No.	:	15270J-004760US	
Customer No.	:	20350	

Technical Center 1600  
Commissioner for Patents  
Alexandria, VA 22313

TERMINAL DISCLAIMER

Sir:

The undersigned is an authorized representative of Neuralab Limited (hereinafter "ASSIGNEE") and attorney of record in the above-identified patent application. ASSIGNEE is the assignee of total interest of:

1. Application No. 09/580,018 (the "'018 APPLICATION")
2. Application No. 09/724,961 (the "'961 APPLICATION")

SCHENK, Dale B.  
Application No.: 09/580,018  
Page 2

PATENT

ASSIGNEE is the exclusive owner of the '018 APPLICATION and the '961 APPLICATION. ASSIGNEE disclaims the terminal part of any patent granted on the '018 APPLICATION which would extend beyond the last day of the full statutory term of the '961 APPLICATION.

Further, ASSIGNEE agrees that any patent granted on the '018 APPLICATION shall be enforceable only for and during the period that the legal title to the patent granted on the '018 APPLICATION shall be the same as the legal title to the '961 APPLICATION and agrees that this Terminal Disclaimer shall run with any patent granted on the '018 APPLICATION and shall be binding on the grantee or its successors or assigns.

In making the above disclaimer, ASSIGNEE does not disclaim the terminal part of any patent granted on the '018 APPLICATION that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the '961 APPLICATION, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

This disclaimer is directed to patents issuing from the indicated '018 APPLICATION only and is not intended to act as a disclaimer of any part of the statutory term of any patent issuing from a divisional or continuation application that claims priority to either the '018 APPLICATION or to use the term of such a patent issuing from a divisional or continuation application in calculating the term of the present '018 APPLICATION.

The assignment documents evidencing title referred to above have been reviewed by the undersigned, and it is certified that title is in the ASSIGNEE.